



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,530	03/27/2006	Yoshiaki Shibata	450100-04817	4625
<div>7590 08/25/2009 William S. Frommer C/O Frommer Lawrence &amp; Haug 745 Fifth Avenue New York, NY 10151</div>			<div>EXAMINER TEKLE, DANIEL T</div>	
			<div>ART UNIT 2621</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 08/25/2009</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/536,530	<b>Applicant(s)</b> SHIBATA ET AL.	
	<b>Examiner</b> DANIEL TEKLE	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed June 2, 2009 have been fully considered but they are not persuasive.

Applicant argues on page 15 of the remark, ".....Jain does not disclose metadata notation formate....."

In response the examiner respectfully disagrees. Jain et al. more than edictally provide support the claim limitation means "metadata notation format" as cited on non-final office action. Applicant discloses page on 17 and 21 of the specification a metadata notation format such as XML which the same as the reference cited a metadata out put in variety format such XML, VDF, HTML, etc.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Jain et al. (US 7,295,752).

**Regarding Claim 1:** Jain et al. discloses a video signal processing apparatus for processing a video signal, comprising: a metadata notation format identification block

Art Unit: 2621

for identifying a notation format of metadata written in a predetermined language **(column 8 lines 42-57)**; a conversion table selection block for selecting a conversion table corresponding to said identified notation format of said metadata from among one or more conversion tables prepared in advance **(column 8 lines 42-57 and fig. 9 element 560)**; a metadata notation format conversion block for converting notation format of metadata into a notation format compatible with said video signal processing apparatus on the basis of said selected conversion table **(fig. 9 element 560)**; and a processing control block for controlling processing associated with video signal on the basis of said metadata whose notation format has been converted **(column 8 lines 42-57)**.

**Regarding Claim 2:** Jain et al. discloses a video signal processing apparatus according to claim 1, wherein predetermined language is a markup language **(column 8 lines 42-57)**.

**Regarding Claim 3:** Jain et al. discloses a video signal processing apparatus according to claim 2, wherein said markup language is XML **(column 8 lines 42-57)**.

**Regarding Claim 4:** Jain et al. discloses a video signal processing apparatus according to claim 3, wherein said metadata notation format conversion block is an XSLT engine **(column 8 lines 42-57)**.

**Regarding Claim 5:** Jain et al. discloses a video signal processing apparatus according to claim 2, wherein metadata notation formation identification block detects a tag from

Art Unit: 2621

metadata written in markup language, thereby identifying notation format of metadata  
**(Fig. 9 element 560).**

**Regarding Claim 6:** Jain et al. discloses a video signal processing apparatus according to claim 1, wherein video signal processing apparatus is a video signal recording apparatus for recording said video signal to a recording medium **(Fig. 1 element 140).**

**Regarding Claim 7:** Jain et al. discloses a video signal processing apparatus according to claim 1, wherein said video signal processing apparatus is a video signal reproduction apparatus for reproducing said video signal **(column 1 lines 40-49).**

**Regarding Claim 8-10:** Claim 8-10 are reject for the same subject matter as claim 1 discussed above.

**Regarding Claim 11-14:** Claim 11-14 are reject for the same subject matter as claim 2-5 respectively as discussed above.

**Regarding Claim 15:** Jain et al. discloses a video signal recording apparatus according to claim 10, further comprising: a conversion table selection block for selecting a conversion table corresponding to notation format of metadata at least compatible with video signal reproduction processing, from among one or more conversion tables **(column 8 lines 42-57)**, wherein metadata notation format conversion block converts at least notation format of generated metadata into a notation format compatible with said video signal reproduction apparatus on the basis of a conversion table selected by said conversion table selection block **(Fig. 9 element 560).**

Art Unit: 2621

**Regarding Claim 16-23:** Claim 16-23 are reject for the same subject matter as claim 1 discussed above.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621

/Daniel Tekle/  
Examiner, Art Unit 2621